

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

This document applies to:

ETHICON WAVE 9 CASES LISTED IN
PLAINTIFFS' EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**NOTICE OF ADOPTION OF WAVE 3 *DAUBERT* RESPONSE REGARDING
JANET E. TOMEZSKO, M.D. FOR WAVE 9**

Plaintiffs filed a Notice of Adoption (Dkt. 8297) adopting their Wave 2 motion [Dkt. 2435/2440] to exclude Dr. Janet E. Tomezsko for the Wave 9 cases identified in Exhibit A to their Notice.¹

In response, Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to the general-causation opinions of Janet E. Tomezsko, M.D for Ethicon Wave 3 (Dkt. 2924) as their response for Wave 9. Defendants respectfully request that the Court deny Plaintiffs' motion for the reasons expressed in the Wave 3 response briefing.

Respectfully submitted,

s/ William M. Gage

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¹ The following case listed on Plaintiffs' Exhibit A has been dismissed without prejudice: Carla R. Theisen, No. 2:13-cv-12635. Plaintiffs' Notice is therefore moot as to this case. Should this case be revived, Ethicon hereby adopts its prior *Daubert* briefing as to it.

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CERTIFICATE OF SERVICE

I certify that on this date I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

*s/ William M. Gage*_____

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